THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10073 OF 2007

DATED 26TH JUNE, 2007

Between

Akula Venkataswami and others.

... Petitioners

AND

The Gram Panchayath, rep.by its Panchayat Secretary,
Ahobilam Village, Allagadda Mandal, Kurnool District and others.

.... Respondents

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ORDER:

The petitioners who are fifteen in number filed the writ petition seeking a writ of Mandamus declaring the action of respondents, namely, Gram Panchayat, Ahobilam; Station House Officer, Allagadda Rural Police Station, and Deputy Superintendent of Police, Allagadda in trying to dispossess petitioners from the residential houses without due process of law as illegal and arbitrary. The petitioners also seek a direction restraining the respondents from dispossessing them.

It is the case of the petitioners that all of them have constructed houses in Ahobilam village and also obtained necessary voter identity cards and ration cards from the authorities. They allege that in Gram Panchayat Elections, 2006, they supported Telugu Desam Party and therefore, local M.L.A., with the help of respondents, is trying to dispossess the petitioners. After getting instructions, learned standing counsel for Gram Panchayats submits that the writ petition is filed on mere apprehension and there is no cause of action for the petitioners. Learned counsel for petitioners, however, submits that by the time the writ petition was filed, there was an attempt to demolish two houses and one house is already demolished and police complaint is also lodged. If that be so, they have to pursue the remedy against Panchayat Secretary or any other officials of Gram Panchayat, who

allegedly resorted to such high handed demolition. The writ petition is not a proper remedy.

The writ petition is accordingly dismissed. No costs.

(V.V.S.RAO,J)

26.06.2007.
pln